

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ORLAN CHARLES HORNE,

Plaintiff,

vs.

ACE LTD; *et al.*,

Defendants.

Case No. 2:12-cv-01142-JCM-GWF

ORDER

Motion for Service via Diplomatic
Channels (#38)

This matter comes before the Court on Plaintiff Orlan Horne's ("Plaintiff") Motion for Service of Process via Diplomatic Channels (#38), filed on December 11, 2012.

Federal Rule of Civil Procedure 4(f)(1) permits a party in a foreign country to be served "by any internationally agreed means of service that is reasonably calculated to give notice, such as those authorized by the Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents." Plaintiff represents that despite diligent attempts, he has been unable to locate a domestic agent to accept service for Defendant Ace Seguros ("Ace"). Although more than 120 days have elapsed since Plaintiff filed the Complaint (#1), Rule 4(m)'s time limit "does not apply to service in a foreign country under Rule 4(f)[.]" The United States and Argentina, Ace's country of residence, are both signatories to the Hague Convention. Accordingly,

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1 **IT IS HEREBY ORDERED** that Plaintiff's Motion to Request Service of Process via
2 Diplomatic Channels (#38) is **granted**. Plaintiff may pursue service of process under the Hague
3 Convention.

4 DATED this 18th day of December, 2012.

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7 GEORGE FOLEY, JR.
8 United States Magistrate Judge
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